

East Timor

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Freedom of the Press

The media environment in East Timor remained stable in 2013. Freedom of the press and expression are protected under Articles 40 and 41 of the constitution. However, as the Timor Leste Journalist Association (TLJA) has noted, “The absence of a press law for Timor Leste has led to the use of the penal code to settle disputes in media reporting, which can endanger press freedom.” Where domestic laws currently do not exist, the 1999 Indonesian Press Law governs media issues.

The implementation of East Timor’s new penal code in 2009 decriminalized defamation. However, misuse of Article 285—the “slandorous denunciation” clause—still threatens journalists. In March 2013, a District Court in Dili, the capital, acquitted two journalists on criminal defamation charges in connection with articles they had written alleging corruption of a district prosecutor. Oscar Maria Salsinha of the *Suara Timor Lorosa’e* newspaper and Raimundo Oki of the *Jornal Independente* newspaper had faced up to three years’ jail time after their newspapers published reports accusing a public prosecutor in Oecusse district of accepting a bribe while investigating a local traffic accident. The judge found no evidence of “slandorous denunciation” in the case, but nonetheless gave the pair a one-year suspended jail sentence and ordered them to pay a civil indemnity fine of \$150 each to the plaintiff for “causing psychological disturbance.” The prosecution said it would appeal the decision.

A draft press law intended to fill the vacuum remained before Parliament at year’s end, though details on the law remained murky. A media advisory committee appointed by the government recommended a self-regulation mechanism to settle media disputes; however, media advocacy groups have expressed fears that amendments included in the final version of the draft law will endorse proposals for a journalist licensing system, as well as criminal sanctions. One of the issues currently under discussion is the creation of a media council, which would resolve press disputes outside of the court system. In October 2013, a congress of more than 150 journalists voted in favor of a 7-member press council, as well as a 10-point code of ethics, affirming a commitment to accuracy and impartiality, defense of the public interest, and rejection of financial inducement, among other values. The creation of such a council, however, as well as details about its composition, operation, and funding remain dependent on the passage of the draft media law.

The draft media law also contains provisions outlining the right to information and the practice thereof, as so far this right has only been nominally established in Section 40 of the constitution. Journalists in the country frequently report problems with access to information, which lacks established mechanisms, depends on scarce resources, and is often arbitrarily denied by the government.

A culture of deference and respect for hierarchy continues to pervade journalism in East Timor, and most news reported out of Dili features verbatim accounts recorded during organized press conferences, which journalists are often paid to attend. While most public officials pay lip service to freedom of the press, not all are comfortable with its actual practice, and there is a sense among many—including some international advisers—that journalism should ideally be linked with the process of nation-building. Journalists are generally able to cover the news freely, and there are few cases of reporters being physically harassed or attacked. However, in July 2013 it was reported that police beat and temporarily arrested a photojournalist who was attempting to cover a sensitive story regarding the eviction of squatters in a hotel that was due to be demolished.

Four weekly and four daily newspapers operate on a regular schedule in East Timor, and several more appear sporadically. Circulations are very small, and are hampered by the high price of papers relative to low consumer purchasing power, illiteracy, and a lack of distribution outside Dili. After the country gained independence in 2002, broadcast media became dominated by public radio and television outlets, but community radio stations—many with international funding—also play an important role in the media landscape. According to the most recent estimates, there are approximately 20 community radio stations across the country, along with one national and three commercial stations. There is one national and one private television station. However, technical difficulties limit the reach of many broadcast media outlets in rural areas, leaving an estimated 16 percent without access to any media. A 2011 nationwide media survey commissioned by the UN Integrated Mission in Timor-Leste found that radio still has the highest reach of any communication medium (a weekly reach of 55 percent), with television trailing not far behind (a weekly reach of 48 percent).

Inadequate training and poor salaries make reporters vulnerable to such financial inducements, including fees offered by politicians to accompany them on official tours. The presence of internationally funded media-assistance organizations has had mixed effects on journalism in East Timor. These organizations have made significant financial contributions, thereby decreasing the importance of funding from the state and arguably increasing journalistic independence. At the same time, evidence suggests that their presence has contributed to what some Timorese journalists call a “project mentality,” in which news organizations become dependent on grants from nonstate actors and find it difficult to be independently sustainable.

Internet access was limited to just over 1 percent of the population in 2013 due to poverty and inadequate infrastructure. The government does not censor websites or restrict users’ access to diverse content. More households have mobile phones, and they are becoming an important communication tool, especially in Dili, where 90 percent of the households surveyed owned a mobile phone.

2014 Scores

Press Status

Partly Free

Press Freedom Score

(0 = best, 100 = worst)

35

Legal Environment

(0 = best, 30 = worst)

11

Political Environment

(0 = best, 40 = worst)

11

Economic Environment

(0 = best, 30 = worst)

13